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A Limited Liability Law Company

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Attorney for Defendant
WAIMANA ENTERPRISES, INC.

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAI'I

UNITED STATES OF AMERICA,

Plaintiff,

v.

SANDWICH ISLES
COMMUNICATIONS, INC., *et al.*,

Defendants.

Civil No. 1:18-cv-00145-JMS-RT

DECLARATION OF LEX SMITH

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I, LEX SMITH, hereby declare as follows:

1. I am an attorney with Kobayashi Sugita & Goda, counsel for

Defendant SANDWICH ISLES COMMUNICATIONS, INC. (“**SIC**”) in this proceeding.

2. I make this declaration on my personal knowledge and would be competent to testify on the matters stated herein.

3. That attached hereto as **Exhibit C**, is a true and correct copy of Declarant’s letter dated May 24, 2024, addressed to DHHL’s lawyer, Kevin Herring, Esq.

4. That attached hereto as **Exhibit F**, is a true and correct copy of FCC Chief Trent Harkrader’s letter dated June 3, 2024, addressed to Declarant.

5. That attached hereto as **Exhibit G**, is a true and correct copy of Declarant’s response letter to the FCC dated June 3, 2024.

6. That attached hereto as **Exhibit H**, is a true and correct copy of Mr. Harkrader’s letter dated June 5, 2024, addressed to Declarant.

7. That attached hereto as **Exhibit I**, is a true and correct copy of Declarant’s response to Mr. Harkrader dated June 5, 2024.

8. That attached hereto as **Exhibit J**, is a true and correct copy of Senator Brian Schatz’s letter dated November 5, 2015, addressed to FCC Chair Tom Wheeler.

9. That attached hereto as **Exhibit K**, is a true and correct copy of Tom Wheeler’s letter dated December 15, 2015, in response to Senator Schatz.

10. That attached hereto as **Exhibit L**, is a true and correct copy of Kevin Herring, Esq.'s letter dated June 6, 2024, addressed to Declarant.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawai'i, June 27, 2024.

/s/ Lex Smith

LEX SMITH